

Heiniu investigators continue to seek witnesses as review continues



Investigators looking into the circumstances that led to the death of Heiniu, an East Gwillimbury rottweiler, during an Animal Control call involving Aurora officers, continue to seek witnesses to aid in the investigation.

Council received an update on the investigation at last week's meeting amid a demonstration held outside Town Hall on June 23 calling for 'justice.'

The Town of Aurora has retained Canine Foundations to investigate the dog's death, a move defended by municipal staff amid concerns raised by Heiniu's family and supporters questioning whether their investigation would be concluded in an impartial manner.

Voicing these concerns at last week's meeting was Bailey Lester, who was an eye-witness to the May 4 incident.

'The friendly family rottweiler was killed at the end of two catch poles by two of Aurora's animal control officers in my family home's driveway,' said Lester. 'Looking back on May 4, I was coming to visit my mom with my daughter as we planned to go for an evening stroll and to get ice cream. Two stray dogs had wandered onto her property, and my mom had them secured and leashed at the time of my arrival. I had asked my sister to care for my daughter as I went to assist my mom with both dogs. Both dogs were calm, friendly, and exhibited zero aggression towards us. We could pet them and have them sitting close to us without hesitation.

'I called Aurora Animal Services, fully believing in my heart that I was doing the right thing. I am now trying to forgive myself for making this tragic decision. I trusted that those responding would be professional, fully trained, and knowledgeable in how to use any equipment, including catch poles. I fully expected them to handle the dogs in a humane manner, and then safely have them reunited with their families. What was to occur and to be witnessed by my family and neighbors was a nightmare, something that I would never wish on anyone to experience.'

The incident, she said, has 'forever changed us, leaving us deeply shaken, confused, and traumatised.'

'Both my mother and I are in therapy learning how to deal with what we witnessed and dealing with our own feelings of guilt that we have contributed to Heiniu's death by trusting people that have no business in this field,' she claimed. 'The killing of Heiniu has galvanized many here and beyond. The entire situation, from start until now, has been so badly and coldly handled by the management of Aurora. Trying to make Heiniu the guilty party in this scenario in order to protect yourselves has left not just me, but most of the individuals disgusted and saddened.'

The retention of Canine Foundations, she contended, is problematic because investigators 'are peers of Aurora Animal Control

Services? and would not be able to be impartial, she said, as their use of the Dog Owner's Liability Act (DOLA) in prior investigations ?has been criticized of unfairly punishing dogs when zero aggression has been proven.?

?The Town of Aurora management has continued to be vague and non-transparent, using ?allow due process' as the excuse, but the continued detachment is only deepening the feelings of anger and distrust,? she concluded. ?The anger and outrage from people is palpable. This is only growing as we look for justice for Heiniu. I ask this Council and this Town's management to be courageous and ask the difficult questions internally of hiring and training standards and of your crisis management approach, to listen to what the [constituents] are saying and asking of you.?

While Council members assured her that these voices were being heard, Town Solicitor Patricia De Sario said the selection of Canine Foundations was ?the best option based on their qualifications and expertise.?

?In our review, they were the only firm, lack of a better word, that included canine behaviour, animal handling, animal cruelty and welfare and animal control,? said De Sario. ?Given the specific nature of the incident, we wanted somebody who was more specific and had these types of expertise and not just a regular third-party investigator. Because they have done considerable work, if Council chooses to redirect with another team, then the Town would still have to pay this team that we've retained for all the work they've done so far.

?My only other concern is retaining anybody else at this stage is going to take time?. We were asked, not even asked, it was imperative that we chose a firm quickly, which is what we did. If we do anything further, it will delay this process. Like the public, we are trying not to delay the process. We would also like answers quickly.?

The Canine Foundation, she continued, ?is committed to providing their report within a reasonable amount of time.?

?They have suggested that they would be able to provide us with a report by the end of July,? she said. ?I do want to caution that we still don't know what this process is looking like. There is potential for litigation; we have been advised of that. As we do in every potential litigation, we may not be able to disclose anything further to the public ? we'll have to cross that bridge when we get there ? but I can disclose it to Council.?

Responding to De Sario's update, Ward 1 Councillor Ron Weese said ?public disclosure? was of particular interest and it was ?imperative? that the public knows what is being done for an independent review.

Ward 5 Councillor John Gallo, who put forward a motion to allow Lester to speak as a delegate to last week's meeting and put forward an ultimately withdrawn motion for a special meeting of Council this month dedicated to the matter, sought assurances that all ?relevant witnesses? would be reached as part of the investigation.

?The investigator has reached out to a couple potential witnesses who would like to get legal advice prior to providing any statements,? De Sario replied, adding a future meeting was ?always staff's intention.?

?The investigation team has also attended the site and are going, for lack of a better word, up and down the street and knocking on doors and seeing if there are any witnesses at home who are willing to speak to them. They have been able to reach at least one person who has provided them with a statement, but they are continuing that process.?

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